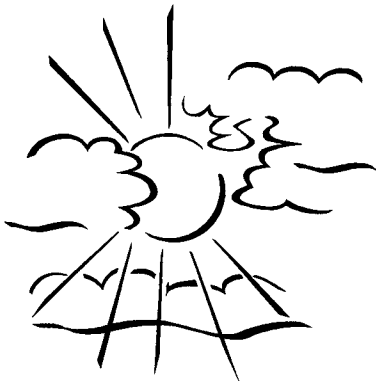


***Department
of
Human
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Prepared by the
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*Important story at this spot

Articles in Today's Clips

Thursday, May 11, 2006

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May 10, 2006

D.H.S., MICH. WORKS CONTINUE SPAR OVER WORK PROGRAM

The Department of Human Services and the Michigan Works Agencies, which provide job training and placement for welfare recipients in the state, continued disagreements over what would be needed to meet new federal work participation requirements, and how much it would cost.

The department has proposed expanding its Jobs, Education and Training (JET) Pilot program to cover about half the state, an added cost of some \$2.6 million. But the Michigan Works Association insists the only way to show at least half of all welfare recipients working is to put all adult cases through the Work First Program, a cost of some \$50 million.

Under the recent reauthorization of the federal Temporary Assistance to Needy Families Act, credits based on reductions in caseloads were essentially eliminated. Michigan and other states had been using those credits as part of its effort to meet the requirement that 50 percent of single parent and 90 percent of two-parent families have at least one person working.

Both DHS and Michigan Works agreed during the Senate Appropriations Human Services Subcommittee meeting Wednesday that the state needed to expand the definition of what qualifies as work to match the federal definition. Current state law allows less post-high school education to count and does not allow community service.

The DHS proposal would allow up to 24 months of post-secondary education to count as work.

The program also would require certain recipients to attend remedial reading and mathematics courses.

But Linda Kinney, executive director of the Michigan Works Association, which represents the 25 Michigan Works agencies in the state, said the state's plan to meet the 50 percent working requirement by the end of FY 2006-07, when the federal requirement would kick in, is too slow.

"We need to meet the work participation rates to avoid a potential \$108 million penalty," Ms. Kinney said. "We feel that we need to be at 50 percent work participation this October to meet the standard next year."

She said the JET program would not, as designed, meet the federal requirements. And she said it was not being sufficiently supported in the areas where it was being implemented to meet its design goals.

"There's no money available in the pilot areas to enhance individual skills," she said.

And she argued that putting all adults through the Work First program could potentially yield additional working recipients or closed cases. "Those individuals have never been served through Michigan Works, so we don't know what the success rates are," she said. "We support all FIP recipients being referred to the Work First system."

Currently, about a third of Family Independence Program cases are child only, exempt from work under federal law, and another third are exempt at the state level because of disability or other work impediment.

In cases where recipients truly are unable to work, Ms. Kinney said the Work First agencies could help to connect those people with local agencies that could assist them.

But Don Mussen, head of the DHS Office of Income Support, said the Michigan Works agencies would actually have more funds to help those referred there, and hopefully more success with them, because DHS would be taking on the orientation duties currently assigned to those local offices.

"We believe that the overall number of people served by Work First will be reduced so the money available per recipient will be significantly increased," Mr. Mussen said.

He said the state actually needs to reach some 7,000 people and get them into work to meet the federal requirements. And he said that would be accomplished with the targeted efforts of the JET program without a statewide effort.

The department is planning to meet some of the work requirements by doubling its follow-up period. By working with former recipients for 180 days after they no longer qualify for benefits, they still are considered recipients under federal law but would be working, Mr. Mussen said.

"We believe our strategy is solid and will get us to the federal participation rate," he said.

CHILD SUPPORT: The committee also heard concerns of coming federal budget cuts for child support collection services. Marilyn Stephen, director of the Office of Child Support, said the state stands to lose some \$58 million in federal funds in the 2007-08 budget because it will no longer be able to use the federal incentive payments as match for federal operations funds.

Ms. Stephen said the department had developed a workgroup of agency officials as well as representatives of the various local contractors that provide services to find both ways to cut costs and to draw other revenue. She expected a plan to be developed by fall.

"This will affect collections," Ms. Stephen said of the federal cuts.

The agency is also on the cusp of either facing federal sanctions or not having to meet further improvement goals in obtaining paternity orders. For FY 2004-05, the state got paternity orders for 88 percent of children born to unwed parents. For the current year, that must increase to 90 percent to meet federal requirements of 2 percent annual improvement. But Ms. Stephen said once the state exceeds 90 percent, it no longer has to meet the 2 percent improvement requirement.

Ms. Stephen said there are also some limits to further gains in child support collections going forward. "I think we have reached a point with our income withholding orders

where we have reached just about every employer in the state, including the small mom and pops,” she said.

Many of the remaining parents who owe support are either unemployed, self-employed or work for cash and so are hard to reach with garnishment orders, she said. But she said the agency is developing plans to reach those parents.

It is also working with the State Court Administrative Office to reach those sent to prison as they go in to address support orders, Ms. Stephen said. State law allows support orders to be suspended while the parent is in prison, but she said in the past, parents have either not been aware of the provision or not taken advantage of it and so have accumulated arrearages while imprisoned.

Amnesty and payment plans have been somewhat successful, Ms. Stephens said. The agency is trying to steer parents toward the arrears payment plan, which allows the back support owed the family and the state to be adjusted as long as the parent is making payment efforts, but it requires a court ordered plan.

The amnesty plan run during FY 2004-05 saw only 19 of 422,000 eligible parents participate, but Ms. Stephen noted that it required full payment of all arrearages to avoid criminal penalties. She said most of those qualifying for the program did not make enough money to pay what they owed in one lump sum.

And the Arrears Collection Special Project, which allowed parents who were making payments and whose children were no longer minors to have reductions in what they owed the state as long as the family was paid in full, has seen about half the participation expected despite an extension of the original April 30 deadline, Ms. Stephen said.

WAYNE COUNTY: The subcommittee also heard requests from Wayne County for a share of the federal family preservation funds. Officials said the county has lost out on some \$25 million in federal funds since it took over juvenile justice programs from the state, despite having cut state costs both through reduced referrals to state programs and through elimination of some state positions in the county.

The county asked for boilerplate that would require the department to make the family preservation funds available to Wayne County on the same basis it makes those funds available in other counties. The subcommittee took the request under advisement.

Editorial

Real welfare reform

The Grand Rapids Press

Thursday, May 11, 2006

Michigan House Republicans have introduced a plan for meaningful reform of the welfare system -- again. Gov. Jennifer Granholm vetoed a similar plan last year. Given this new chance, she shouldn't repeat that mistake.

Time limits, sanctions and education are key features. These reforms would decrease dependency and encourage able-bodied adults to achieve independence through work. Welfare should be a temporary aid, not a lifetime crutch. The governor's new Jobs, Education and Training program (JET) has promise but isn't enough to accomplish the aggressive and comprehensive welfare reform long needed.

There is extra incentive to work out a compromise with states facing possible financial penalties if they don't meet new federal welfare rules. States must have 50 percent of single-parent welfare families participating in work or training programs (90 percent for two parents) by Oct. 1. Michigan is currently at 23 percent with 213,011 people or 78,738 families on welfare. The federal government is working on how to implement the requirement and how harshly to penalize states in noncompliance.

The governor relies heavily on JET to address federal rules. But the program, which uses upfront assessments to tailor longterm support and services to move people off welfare, hasn't even been piloted yet. Effective July 1, it will be fully implemented in four counties including Kent. The plan is to expand it. There is reason to be optimistic but not to expect benefits any time soon. The governor should also embrace proven methods offered by Republicans that have influenced state work participation rates. The tools include lifetime limits on cash assistance that discourage longterm welfare use and penalties for those who won't work or train.

Rep. Jerry O. Kooiman, R-Grand Rapids, is a primary sponsor of the welfare plan. Among the provisions:

- ☐ Expand education programs and provide help with job search or placement.
- ☐ Cap welfare assistance for life at four years for able bodied adults, with no more than 24 consecutive months.
- ☐ Impose penalties for those who refuse to work by taking benefits for 90 days on the first and second violations, one year for the third and a lifetime termination for the fourth.
- ☐ Improve evaluation and assessment of those seeking deferment from work because of a disability.

The plan does include exemptions such as for those caring for the disabled or an infant. If unemployment exceeds 10 percent in an area, the time limit clock also stops.

Michigan is one of two states that allow people to be on welfare indefinitely. That has to change. Indiana, Ohio and Illinois all have limits between two and five years. People who won't try to achieve self-sufficiency deserve to lose their benefits.

Overhauling welfare is not easy but necessary to keep it from being a way of life. People shouldn't just be thrown off assistance but given education opportunities and support services that will enable them to be independent. The Republicans' plan does this and holds people accountable. The governor should work with them to achieve real progress on moving people from welfare to work.

Examination postponed for suspect in baby's death

Monroe News story updated May 10. 2006 11:17AM

A hearing for the Monroe woman who is accused of beating an infant to death has been postponed.

Sonya Moussaed, 27, charged with open murder in the death of Gracie A. Simmons, 17 months, was in First District Court Tuesday for a preliminary examination. However, the hearing was postponed.

Judge Terrence Bronson set a pretrial conference for May 22. A preliminary examination date is expected to be set then.

An exam is where the judge decides whether a crime had been committed and whether the accused should be sent to circuit court, where trials are held. Witnesses typically testify at exams in district court.

Ms. Moussaed lived with the baby's father at 812 Hubble St. She has been charged with murder in the April 20 beating death of the infant.

Thursday, May 11, 2006

13 or 18? Girl's age at issue in Web date 25-year-old met teen on MySpace, believed from her profile that she was an adult

Steve Pardo and George Hunter / The Detroit News

A rendezvous that began on the Internet between an Indiana man and a 13-year-old Macomb County girl who lied about her age has raised murky legal questions about what he could have done to verify her age and avoid being jailed.

The episode also has law enforcement officials wondering if a crime has been committed, and if so what it might be. They're trying to determine whether there was sexual contact between the two. In the meantime, the 25-year-old man is being held in Macomb County Jail.

"Under the statutory rape laws, if an adult has sex with someone under the age of 16 in Michigan, they're legally responsible," said Jeffery Cojocar, a Shelby Township attorney who deals with men's rights issues.

"I don't care if the minor showed a birth certificate that said they were older. It doesn't matter. Statutory rape is what is called a strict liability law, which means it doesn't matter whether the accused knew a crime was being committed or not."

In the Macomb case, authorities questioned the Hammond, Ind., man and the Harrison Township girl Wednesday.

The man met the teen on the popular Internet site MySpace.com.

The girl told him and had on her MySpace Web site that she was 18.

"We're working with both the federal agencies and the prosecutor's office to see what charges will be brought against him," said Macomb County Sheriff Mark Hackel, who said the man had a disorderly conduct and a drug charge in his past.

It's unclear whether the man will face charges.

Authorities are particularly concerned about the four hours from the time the man picked up the girl Tuesday night until the time he was stopped by authorities in Jackson County. If there was sexual contact during that time, it's clear the man broke the law regardless of what the girl told him, according to authorities and attorneys.

An Amber Alert was issued in the case about 11:24 p.m. Tuesday, about two hours after the girl got into the car with the man. Two hours later, Kalamazoo County sheriff's

deputies stopped the car. The man's 14-year-old stepbrother also was in the vehicle, Hackel said.

The man apparently drove from Hammond and picked up the girl from a shopping center in the 16 Mile and Crocker area around 9:30 p.m. Tuesday. The girl was with two friends -- a girlfriend and a former boyfriend -- at the time she was picked up by the man. She gave the man's cell phone number to her girlfriend, saying, "If you need to get a hold of me, call this number," Hackel said.

The girlfriend got suspicious and called the 13-year-old's mother. The mother called deputies, who got in touch with the cell phone company and tracked the man's movements through his cell phone's GPS locator. They learned he was driving in the Jackson area and a Kalamazoo County sheriff's deputy stopped the car on Interstate 94.

Hackel called the girl's Web site "provocative" and "somewhat questionable." A check of the girl's site Wednesday shows she identifies herself as 18. Pictures show her lounging on a couch in torn jeans and a low-cut shirt. The site contained Playboy bunny logos and a vulgar expression.

But that's irrelevant, Hackel and legal experts pointed out; from their perspective, deputies were trying to find a 13-year-old girl traveling with an adult man she met on the Internet.

"Our goal was to find that car," Hackel said. "The primary issue is one of her safety. Did something sexual occur? We have to investigate that -- even if the girl said nothing happened."

Macomb County authorities are also questioning the 14-year-old boy in the case.

"We still have 48 hours to decide what we're going to do, so we'll continue to interview him," Hackel said. "We'll probably determine (Thursday) morning what we're going to do. There may be federal charges, although I don't want to go into more detail than that."

The girl was transferred to the Juvenile Justice Center, but is at home with her family now, he said.

Exactly what happened from the time the man picked her up and the time police stopped his vehicle remains under investigation.

And that's where a gray area begins, Cojocar said.

"If there was no sex involved, and the girl just got in the car with him to go to Indiana, it would be more difficult to convict the man," he said. "Prosecutors would have to show criminal intent -- that he took her against her will. If she lied to him, and he didn't know she was a minor, then in this case, I don't think there would be criminal liability."

"It would be premature to say anything because the case is still under investigation," Therese Tobin, chief trial attorney for the Macomb County Prosecutor's Office, said.

Mel Feit, director of the National Center for Men, an Old Bethpage, N.Y.-based men's advocacy group, said laws don't always reflect the reality of a potentially sexual situation between a man and an underage girl.

"The reality is, some teenagers look and act mature -- and some teenagers deceive men, and pretend they're older than what they are," Feit said.

"The law needs to reflect the reality of the situation: that sometimes a man can honestly be deceived. It doesn't make sense to hold him to the same standards as a man who knows he's having sex with a minor.

"It's not about the truth -- it's about being deliberately punitive without regard to the truth. The system is not set up to look at who lied to whom. It's a very inhuman approach to solving these problems, which is to say, 'let's look at her age, and nothing else.' It's not justice. A just system would look at all the circumstances. Knowledge and intent should be important."

The girl's family had stopped the girl's Internet access at home and investigators are looking into how she continued online chats with the Indiana man.

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Registered offender found guilty of assaulting boys

NEWS UPDATE

LAPEER CITY

THE FLINT JOURNAL FIRST EDITION
Thursday, May 11, 2006

By Bryn Mickle
JOURNAL STAFF WRITER

Jurors found a registered sex offender guilty of sexual assault in a case involving two boys.

William Gates, 40, of Lapeer faces the possibility of life in prison after his conviction Wednesday on four counts, including first-degree criminal sexual conduct.

The jury found Gates not guilty of a count of second-degree criminal sexual conduct. Sentencing is set for next month.

Gates has remained in the Lapeer County Jail in lieu of \$1-million bond. He was convicted in 2000 of a misdemeanor charge of accosting young children.

May 10, 2006

'JESSICA'S LAW' NEARS FINAL OK

The package of bills adding Michigan to the list of states adopting the so-called "Jessica's Law" were brought to the brink of final approval Wednesday with Senate action on bills toughening punishment for adults who sexually assault children and putting the criminals on life-time electronic monitoring tethers.

The penalties in the eight-bill package apply to sex offenders who are at least 17 years old when the victim is 13 years old or younger.

Sen. Alan Cropsey (R-DeWitt) said studies estimate that one in six boys and one in four girls are sexually abused at some time in their childhood, adding that equates to 13,000 children in each Senate district. "Evil walks among us; evil needs an adversary," he said. "This will help make the people of this state safer."

The sex offenders would be punished for a mandatory minimum of 25 years in prison, and then have to wear a GPS tether for the rest of their lives, and pay for the equipment. The proposed 2006-07 budget for the Department of Corrections includes funds to purchase the tethers that would be needed.

The prison penalties are worse when force or coercion is used and the offender has a prior criminal sexual conduct conviction: life without parole.

Approved by unanimous Senate votes were HB 5421, HB 5422, HB 5531, HB 5532 and HB 5533, which all have substitutes needing House concurrence. Sent on their way to Governor Jennifer Granholm with unanimous votes concurring in House changes were SB 709, SB 717, SB 718 and SB 1122.

Mark Lunsford of Florida testified in both the Senate Judiciary Committee, which had approved the House bills on Tuesday, and earlier in the House Judiciary Committee about the legislation that carries the name of his daughter who was raped and killed in 2005.

"If all of them had tracking devices on them it wouldn't have taken three weeks, it would have taken a day," he said Tuesday about the offender who lived nearby when he committed the crime.

Rep. David Law (R-Commerce Township), who sponsored three of the bills, said the penalties "may sound shocking, but it's needed." He said the cost of the electronic monitoring program is about \$8 per parolee per day.

The Senate Fiscal Agency said the entire cost of the tether program, including staff, is \$19 per day.

Sen. Liz Brater (D-Ann Arbor), though supporting the bills, has reservations about punishing an offender after the fact, saying prevention programs should be created. "If we really want to protect children and not just grandstand on the issue, we need to know how to get at identifying these people who are at risk of committing abuse and provide some sort of intervention," she said.

Granholt to renew push for coverage of uninsured

5/10/2006, 6:16 p.m. ET

By DAVID EGGERT

The Associated Press

LANSING, Mich. (AP) — Gov. Jennifer Granholm is renewing a push to provide affordable health insurance to cover uninsured Michigan residents.

Granholm, who first unveiled the proposal in January, is expected to talk more about her plan Thursday while visiting a Lansing hospital.

State Department of Community Health Director Janet Olszewski provided details of the proposal Wednesday, saying the eventual goal is universal health care coverage.

Granholm's plan would cover 550,000, or half, of the state's uninsured non-elderly residents with incomes below 200 percent of the poverty line. That's \$38,700 for a family of four and \$19,140 for a single person. Participants would be charged premiums and copays on a sliding scale.

Olszewski told The Associated Press in an interview that the proposal also would provide more affordable insurance plans to small businesses with uninsured workers, and that Granholm eventually would like to expand the plan to partly subsidize those above 200 percent of the poverty line.

To pay for the \$1 billion Michigan First Health Care Plan — which Granholm wants to launch in April 2007 — the state is asking the federal government for a waiver to use \$600 million in federal money that has been saved by changing the state's Medicaid prescription drug and fee-for-service plans to less costly alternatives. The rest would come from money the state and local governments already spend on covering the uninsured.

Negotiations are ongoing.

Olszewski said those participating in the plan would get health care through private insurers, and benefits would include preventive and primary care, emergency room visits, hospital services and prescription drugs.

"It's going to cover the basic kinds of health care that people need," she said.

The initial target is adults who aren't eligible for Medicaid and earn between 35 percent and 200 percent of the poverty level. Signing up uninsured parents also is expected to

reach 95,000 uninsured children in Michigan who currently qualify for Medicaid or the state's health insurance program for children, but who aren't enrolled.

Some Republicans in the GOP-controlled Legislature have expressed skepticism about the governor's plan, saying the state should put more emphasis on encouraging healthy behavior.

On the Net:

Michigan Department of Community Health: <http://www.michigan.gov/mdch>

Michigan Legislature: <http://www.legislature.mi.gov>

Thursday, May 11, 2006

Confusion slows Medicare sign-ups Area seniors brave forms to enroll by Monday

Alison Bethel / Detroit News Washington Bureau Chief

With Monday's deadline just days away, more than 150,000 eligible senior citizens in Metro Detroit have not yet enrolled in the federal government's new, voluntary prescription drug program.

Nationwide, about 85 percent of those eligible for the program have enrolled; in Michigan, officials say the figure is about 72 percent.

Critics say seniors have been slow to sign up because there's too much complicated paperwork. Some have called on President Bush to extend the deadline, but that's not likely.

"This is all so confusing," said Betty Gordon, 74, who was among about 150 seniors who met with enrollment counselors Wednesday at the Boll Family YMCA in downtown Detroit Wednesday. She was there to get help for her 90-year-old mother, Ernestine Council. "I was hoping I'd be able to make some sense of this," Gordon said.

Under the Medicare Prescription Drug Plan, created as part of the Medicare Prescription Drug, Improvement and Modernization Act of 2003, Medicare recipients can enroll in private plans that could save them hundreds of dollars a month in drug costs.

At the downtown Y, Bill Ellington, 65, a retired Detroit People Mover worker, wanted to know if he could get help paying his monthly \$138.10 bill for Protonix, a brand-name medicine prescribed for ulcers.

After about an hour with a counselor, Ellington signed up for a prescription plan that would split his bill in half.

"An extra \$50 or \$60 a month when you're retired can make a big difference," he said. "I'm satisfied with what I found out."

The federal government, local churches, businesses and senior advocates are beating the pavement in the final days to help eligible seniors meet Monday's enrollment deadline.

In Detroit alone, there have been dozens of enrollment events; and even more are scheduled for this final weekend.

Some 37 million of Medicare's elderly and disabled beneficiaries have already signed up for the new program; about 6 million more have until Monday to enroll.

Participants pay a yearly deductible and co-payments. Those who qualify for the limited income subsidy (beneficiaries who have low incomes who qualify for extra help in paying for their prescription drugs) may not be required to pay co-payments or premiums and they will have extra time to enroll in a plan.

The Bush administration expects the typical senior who previously lacked drug coverage to save about \$1,100 a year on prescriptions under the plan. About one-third of seniors are eligible for subsidies and it is estimated that Medicare will cover about 95 percent of their costs.

Plans must accept enrollments through midnight Monday. That includes applications started by an agent, telephone or TTY enrollment applications and online reenrollments at www.medicare.gov or on a specific plan's Web site. Mailed applications must be postmarked by Monday.

Mike Leavitt, secretary of the U.S. Department of Health and Human Services, believes that 90 percent of eligible Americans may sign up by the deadline. But in Michigan, more than 414,000 have not signed up, according to the Centers for Medicare and Medicaid Services.

Many Michigan seniors already have prescription coverage because of generous post-retirement benefits offered by the federal government and big companies such as General Motors, said officials from Health and Human Services.

On Wednesday, local officials and officials from Washington went to several sites urging seniors to sign up. They are targeting the poorest of the poor, who typically are slower to sign up for new federal programs.

Despite promises of lower drug costs, the prescription drug benefit plan is not without controversy.

Democrats are pushing to extend Monday's deadline. Sens. Debbie Stabenow, D-Mich., and Bill Nelson, D-Fla., have introduced legislation to move the deadline. And a number of rallies with politicians and seniors have been held on Capitol Hill this week.

"This whole prescription drug benefit was written for the pharmaceutical industry at the expense of senior citizens," said Stabenow, who hopes to push the deadline to Dec. 31 so "the insurance companies can work out the kinks and answer all the questions."

Added U.S. Rep. Sander Levin, D-Mich: "It is my hope that secretary Leavitt learns during his visit to Detroit that there are still thousands of people who have not enrolled in a drug plan. I call on the Bush Administration to extend the May 15 deadline immediately

and focus on getting seniors the information they need, rather than rushing them to sign up for plans they don't have complete information about."

Critics point to long wait times on toll-free telephone help lines, incorrect information given by some Medicare counselors, and intimidating amounts of paperwork. They are critical of the penalty that seniors will incur if they do not sign up by Monday: They'll have to pay 7 percent more on their premiums -- or an average of an additional \$2 a month -- even after enrolling at the next opportunity, in November and December. "If the federal government can't get their act together by May 15, why should people be penalized for that?" said U.S. Sen. Debbie Stabenow, D-Mich. She wants the deadline extended.

But some argue that the deadline has been a good thing.

"It's clear that the deadline is helping people that have not yet made a decision to go ahead and act," said Dr. Mark B. McClellan, administrator of Centers for Medicare and Medicaid Services. "Now is the time they can get help. The benefit can help everybody with Medicare. A number of people who are relatively healthy said they are now thinking about signing up because they want the protection for the future and now is when they can sign up."

The eligible include those age 65 or older, people under 65 with certain disabilities and people of all ages with permanent kidney failure requiring dialysis or a kidney transplant. Before going to an enrollment center, or enrolling online, they should gather their prescriptions, find their Medicare card and dial (800) MEDICARE or go online at www.medicare.gov.

Wanda Bailey, interim director of the Healthy Aging Department for the Detroit Agency on Aging, said the agency has been working overtime to inform seniors of the program.

"We have done a lot of things to try and get seniors and make them aware and get them out to enrollment events we've planned," said Bailey, who agrees with having a set deadline to apply. "We have not been as successful with the enrollment events."

Attendance at enrollment events has improved in the past week because of news coverage.

"The events where we've gone out to try and reach them have been kind of slow. I would guess that a lot of seniors are just confused. They receive so much information from providers and everyone else and some of them decide just not to do anything," said Bailey. "We are trying to get them to understand that if they do not enroll by May 15 and they need medicine later on, they will pay more forever."

Dual recipients -- those who qualify for both Medicare and Medicaid -- were automatically enrolled in a plan, said Bailey, and many of them are not aware that they may need to evaluate the plan they were put into to make sure it is the right one.

Seniors, said Bailey, most often want to know how many the co-payments and deductibles will cost them, if the plan will cover all of their medications and they want to know if they can go to their same pharmacy.

"My experience has been at events that most of them have come out in a better situation. They will tell you, 'I thought I had to pay \$200 but now I pay only \$30.' I think a lot of people it's really benefited them by joining the plan. Once they sit down with our counselors, I think the process is okay. They are initially intimidated.

"Those are the seniors who come and thank us so much," said Bailey. "We're just doing our jobs, but they are just so grateful."

Nancy Cook of Grand Rapids went to four meetings in search of answers. She even took notes. But it took an hourlong meeting with a counselor for Cook to sign up.

"I'm a smart person. I'm a graduate of college and taught school and I went on the computer, but I feel sorry for these people who don't have the same resources," said Cook, 65.

Her advice to unenrolled seniors: Get help -- *immediately*.

"Until you can sit down one-on-one with a person (to ask questions), you won't really fully understand it."

Staff writers Sharon Terlep and David Josar contributed to this report. You can reach Alison Bethel at 202-662-8734 or abethel@detnews.com.

Glossary of terms

Costs

Premium: The monthly cost you pay to join a Medicare drug plan.

Deductible: The amount you pay for your prescription before the plan begins to share in the costs. Plans cannot have a deductible more than \$250.

Co-payment/Coinsurance: The amount you pay for your prescriptions after you have paid the deductible. In some plans, you pay the same co-payment (a set amount) or coinsurance (a percentage of the cost) for any prescription. In other plans, there might be different levels, or "tiers," with different costs. (For example, you might have to pay less for generic drugs than brand names. Or, some brand names might have a lower co-payment than other brand names.) Also, in some plans your share of the cost can increase when your prescription drug costs reach a certain limit.

Coverage

Formulary: A list of drugs that a Medicare drug plan covers. It includes generic drugs and brand-name drugs. Most prescription drugs used by people with Medicare will be on a plan's formulary. The formulary must include at least two drugs in categories and classes of most commonly prescribed drugs to people with Medicare.

Prior Authorization: To be sure certain drugs are used correctly and only when truly necessary, plans may require a "prior authorization." This means before the plan will cover these prescriptions, your doctor must first contact the plan and show there is a medically-necessary reason why you must use that particular drug for it to be covered. Plans might have other rules like this to ensure that your drug use is effective.

Coverage Gap: If you have high drug costs, you may consider which plans offer additional coverage until you spend \$3,600 out-of-pocket. In some plans, if your costs reach an initial coverage limit, then you pay 100% of your prescription costs. This is called the coverage gap. This "gap" in coverage is generally above \$2,250 in total drug costs until you spend \$3,600 out-of-pocket. Some plans might offer some coverage during the gap. Even in plans where you pay 100% of covered drug costs after a certain limit, you would still pay less for your prescriptions than you would without this drug coverage.

Convenience

Drug plans must contract with pharmacies in your area. Check with the plan to make sure your pharmacy or a pharmacy in the plan is convenient to you. Also, some plans may offer a mail-order program that will allow you to have drugs sent directly to your home. You should consider all of your options in determining what is the most cost-effective and convenient way to have your prescriptions filled.

Source: Centers for Medicare and Medicaid Services

Where to go

Gather up your prescriptions and your Medicare card. Then:

☐ Call (800) MEDICARE or the Michigan Medicare/Medicaid Assistance Program at (800) 803-7174.

☐ Online, go to www.medicare.gov

Attend one of these enrollment events:

Friday

Area Agency on Aging 1B will have an enrollment from 9 a.m. to 3 p.m. at its headquarters at 29100 Northwestern Hwy., Suite 400, Southfield. The agency covers residents in Livingston, Macomb, Monroe, Oakland, St. Clair and Washtenaw counties. To make an appointment, call (800) 803-7174.

Saturday

Detroit Area Agency on Aging (Area 1A) will host a radio-thon from 7:30 a.m. to noon at Little Rock Baptist Church, 9000 Woodward Ave., Detroit. All eligible Medicare participants living in Detroit, any of the Grosse Pointes, Harper Woods, Hamtramck or Highland Park are invited to come for assistance in signing up for the drug plan. Contact the agency at: (313) 446-4444.

Frequently asked questions

What is Medicare prescription drug coverage? Medicare prescription drug coverage is insurance that covers both brand-name and generic prescription drugs at participating

pharmacies in your area. Medicare prescription drug coverage provides protection for people who have very high drug costs.

Who can get Medicare prescription drug coverage? Everyone with Medicare is eligible for this coverage, regardless of income and resources, health status, or current prescription expenses.

When can I get Medicare prescription drug coverage? You may sign up from November 15, 2005 to May 15, 2006. If you join by December 31, 2005, your coverage will start January 1, 2006, and you won't miss a day of coverage. If you don't sign up when you are first eligible or by May 15, 2006, you may pay a penalty. Your next opportunity to enroll is from November 15, 2006 to December 31, 2006.

How does Medicare prescription drug coverage work? Your decision about Medicare prescription drug coverage depends on the kind of health care coverage you have now. There are two ways to get Medicare prescription drug coverage. You can join a Medicare prescription drug plan or you can join a Medicare Advantage Plan or other Medicare Health Plans that offer drug coverage. Whatever plan you choose, Medicare drug coverage will help you by covering brand-name and generic drugs at pharmacies that are convenient for you. Like other insurance, if you join, you will pay a monthly premium, which varies by plan, and a yearly deductible (no more than \$250 in 2006). You will also pay a part of the cost of your prescriptions, including a copayment or coinsurance. Costs will vary depending on which drug plan you choose. Some plans may offer more coverage and additional drugs for a higher monthly premium. If you have limited income and resources, and you qualify for extra help, you may not have to pay a premium or deductible. You can apply or get more information about the extra help by calling Social Security at (800) 772-1213 (TTY (800) 325-0778) or visiting www.socialsecurity.gov.

Why should I get Medicare prescription drug coverage? Medicare prescription drug coverage provides greater peace of mind by protecting you from unexpected drug expenses. Even if you don't use a lot of prescription drugs now, you should still consider joining. As we age, most people need prescription drugs to stay healthy. For most people, joining now means protecting yourself from unexpected prescription drug bills in the future.

What if I have a limited income and resources? There is extra help for people with limited income and resources. Almost 1 in 3 people with Medicare will qualify for extra help and Medicare will pay for almost all of their prescription drug costs.

Source: U.S. Department of Health and Human Services

Detroit Free Press

May 11, 2006

COUNTY-WIDE: Seniors can get help Friday before Medicare deadline

Macomb County seniors have a last-minute opportunity to get help enrolling in Medicare's prescription drug program before Monday's deadline.

Specialists from the county Senior Citizens Services Department will offer assistance Friday from 10 a.m.-2 p.m. at Freedom Hill County Park, 15000 Metropolitan Parkway in Sterling Heights.

Appointments are necessary. Call 586-466-4545 between 8 a.m. and 5 p.m.

Seniors should bring their Medicare card and information about the medications they take, including the dosage.

Thursday, May 11, 2006

The Detroit News

Letters to the Editor

National health care insures disaster

UAW, join real world

In the May 5 commentary, "It's time for national health insurance," United Auto Workers President Ron Gettelfinger argues that since the auto companies can no longer afford to keep his union members on deluxe health plans, he wants the taxpayers to pick up the tab.

Universal health coverage is the answer to our health cost problems, but having our government provide the coverage is just plain irresponsible. How about mandatory health care coverage with many insurance options to choose from? I know UAW members are not used to paying for health care coverage, but maybe it's time they joined the real world.

Janusz M. Szyszko

Canton Township

Government doesn't work

Ron Gettelfinger has the most honorable of intentions with his opinion for a "Single Payer" health insurance proposal described in the May 5 article, "It's time for national health insurance." I find it interesting that UAW President Ron Gettelfinger uses the example of Medicare as the footprint for his proposal for a single-payer health insurance system. Look at other examples of "single payer" systems (that have problems): Social Security and the education system.

Norman Bixby

Taylor

Free patients and businesses

What a hilarious idea! Let's allow the same government that so completely fouled up the Hurricane Katrina disaster to manage our health care. The same government that allows billions of dollars to be stolen from the government every year. Only a certifiable Marxist like Ron Gettelfinger would endorse such an idea.

A better choice is to repeal the federal and state laws that forbid businesses from joining together to get better health care providers and health care insurance rates, repeal the federal and state laws that mandate specific coverages, and allow the people to choose their own health care providers, insurance and coverages.

Jim Kress

Northville

Get individuals involved

Every time an industry is nationalized, prices go up and service goes down. It creates a monopoly. Decreasing consumer choice is not the answer.

What America needs is a system that promotes greater choice and more efficiently uses resources. We must allow for greater depreciation allowances for new, high-tech medical equipment. We must be tougher on lawsuit abuse. And when the individual is directly involved, as is the case with health savings accounts, better more informed choices will be made.

Mitchell Nelson

Oak Park

Don't politicize care

If anyone thinks our health care is dysfunctional now, what will it be like when the federal government takes it over? And if we nationalized health care, how long would it be before the Democrats start picking and choosing which voting blocs are going to have access to the best health care?

Pat Lang

Warren

Sheriff wants mom of alleged drug dealer charged

LINDEN

THE FLINT JOURNAL FIRST EDITION

Thursday, May 11, 2006

By Kim Crawford

Kcrawford@flintjournal.com 810.766.6242

LINDEN - The mother of a 16-year-old boy who allegedly was dealing crack cocaine and marijuana out of their home should face drug conspiracy charges, Genesee County Sheriff Robert Pickell said Wednesday.

Pickell said he will talk to the Genesee County prosecutor's office about charging the mother and her live-in boyfriend with conspiracy with intent to deliver, following the discovery of the packaged drugs and marijuana plants at 452 Lydia Lane, Linden.

"They knew it was going on. I'd also like to see them charged with contributing to the delinquency of a minor," Pickell said.

Gail Y. Hall-Yaldo, 51, and Ronald P. Waldon, 59, were arrested Tuesday and booked on marijuana possession charges when officers of the Posse, Pickell's drug enforcement team, found a bag of marijuana in her bedroom and half a joint on Waldon, Pickell said.

The officers also found 87 marijuana plants growing in a basement window well and 28 small plastic bags of marijuana, packaged for sale. Eight small packages of suspected crack cocaine and a .357 Smith & Wesson revolver were found in the teenager's bedroom, Pickell said.

The teenager, whom Pickell did not name because he is a minor, was not home during Tuesday's bust but called the house while officers were searching it. He fled the area and is believed to be staying in Wayne County, the sheriff said.

Pickell said the 16-year-old has a troubled past, with a record that shows he had been made a ward of a Wayne County court after a felonious assault case there and from which the boy is considered an escapee. A warrant for his arrest is outstanding in that matter, he noted.

"This kid has a record that belies his youth," the sheriff said.

Pickell said members of the Posse had received complaints this month that the teenager and a man at the Lydia Lane house had been selling drugs to Linden High School and middle school students.

Sheriff warns of scam involving Medicare plan

Thursday, May 11, 2006

By TIM YOUNKMAN
BAY CITY TIMES WRITER

With the deadline looming for senior citizens to sign up for the new Medicare Prescription Part D plan, some people are being duped into paying as much as \$150 in a scam claiming to help the person get signed up.

Bay County Sheriff John E. Miller said some area residents have been contacted by phone by someone who claims to help with the Medicare sign-up, which has a deadline of Monday.

However, the victim never actually gets enrolled in a program and the caller gets away with the money from a credit card or other form of payment.

"I think there are people out there who don't know they have been scammed yet," Miller said. "No one should pay for getting signed up for the prescription drug plan."

The Medicare program has a number of prescription drug assistance plans, and those who qualify have been urged to enroll by the deadline.

"It seems to have caused some apprehension or panic on the part of people who haven't yet signed up, and these callers are taking advantage of them," Miller said.

In Arenac County, Sheriff Ron Bouldin said he already has received more than 30 complaints from residents who have been contacted by the scammers or who have unwittingly paid the money for the service.

"With a county of 18,000 people, and you get this kind of numbers filing complaints, you can bet the real numbers are higher by tenfold," he said.

"We do feel that these are not local calls, but can be traced at least to somewhere out of state," possibly international in origin, Bouldin said.

He said it is likely that if residents of Arenac County are targets of the scam, people in other counties have been scammed, as well.

"These are scare tactics," he said, noting that the caller tells the person that if they aren't signed up, they'll lose their benefits.

"This same type of scam is used for people to think they are talking to someone from the IRS come tax time," he said.

Bouldin said people give out personal information, such as their checking account numbers along with other data like Social Security numbers. It takes only minutes for the scammers to "sap" an account dry.

The state House of Representatives also has issued a warning to senior citizens.

"People must remember that they should never provide their personal or financial information to a caller, no matter how convincing the caller may seem," said State Rep. Tim Moore, R-Farwell.

Moore said anyone with a question can call 1-800-633-4227, or they can call the Michigan Medicare Medicaid Assistance Program toll-free at 1-800-803-7174.

Lansing State Journal

May 11, 2006

State to take part in training effort

Michigan has been chosen as one of six states to participate in the National Governors Association Center for Best Practices Policy Academy on youth transitioning out of foster care, Gov. Jennifer Granholm announced Wednesday.

Over the next year, a team of state leaders appointed by the governor will learn about research, practices and state policy options for addressing the needs of youth as they move from foster care to independence.

In January, Michigan Department of Human Services Director Marianne Udow and state Supreme Court Justice Maura Corrigan convened a statewide task force that will make legislative recommendations to help youth as they leave foster care.

Michigan Report

May 10, 2006

MICHIGAN CHOSEN FOR N.G.A. FOSTER

CARE: In an effort to better transition foster care children to adulthood, senior state officials will participate in the National Governors Association's Best Practices Policy Academy on Youth Transitioning Out of Foster Care, Department of Human Services officials announced Wednesday.

Michigan was one of six states chosen for the program, which runs through March 2007.

Officials plan to develop an action plan to better assist older foster youths and young adults. The plan will compliment a similar task force convened in part by Supreme Court Justice Maura Corrigan that plans to present recommendations to the House and Senate in late September to enhance foster care service.

DHS data shows that almost 500 teenagers "aged out" of the foster care system over the past year without a permanent family.

Cox gives part of Wal-Mart settlement to soup kitchen

5/10/2006, 10:32 p.m. ET

The Associated Press

LANSING, Mich. (AP) — State Attorney General Mike Cox has donated \$30,000 from a settlement with Wal-Mart Stores Inc. to a Detroit soup kitchen.

The money was given to the Capuchin Soup Kitchen as part of the \$1.5 million Wal-Mart agreed to pay to settle claims that its merchandise did not carry price tags.

"This innovative settlement will deliver help to those who need it most," Cox said Wednesday in a prepared statement. \$100,000 of the settlement is going to food banks across the state, he said.

The settlement, announced last month, came after an investigation by Cox's office found that four Michigan Wal-Mart stores had price tags on just 20 percent to 25 percent of their items.

Michigan is the only state in the nation that requires price tags on almost every item in stores. If consumers are charged more than the price marked, they can demand the difference, plus 10 times the amount of the difference up to \$5.

The Capuchin Soup Kitchen serves about 2,000 hot meals per day at two locations and gives about 300,000 pounds of food to families per month, according to its Web site.

Senate To Cut 1.3% From Budgets

MIRS, Wednesday, May 10, 2006

As the Senate appropriations subcommittees begin reporting out budgets next week, look for roughly 1.3 percent across-the-board cuts from all budgets.

Unimpressed by the governor's call for roughly \$100 million in "tax loophole closings," the restructuring of the private school scholarships and a liquor fee increase, the Republican majority is looking for other items in the budget to cut.

"You either raise revenue or reduce spending and we have to choose to reduce spending," said Senate Majority Spokesman Ari **ADLER**. "We are not scraping bone at this point. We're not the portly government we used to be, but there is still a little meat left on those bones."

Sen. Valde **GARCIA** (R-Howell) was about to roll out his suggested cuts to the Department of Labor and Economic Growth (DLEG) today, but opted to hold off after his attempts to be "creative" with his cuts hit a snag that required his Senate DLEG Appropriations Subcommittee to take some extra time.

The Senate is set to report out budgets for the departments of Agriculture; Human Services; History, Arts and Libraries; Corrections; State Police; Military and Veterans Affairs; and Transportation next week. The General Government and Judiciary budgets are set to move from subcommittee next week as well.

Charity Provisions Dropped From Measure on Tax Cuts

By STEPHANIE STROM
The New York Times

Published: May 11, 2006

After intense lobbying by a handful of nonprofit groups, proposals aimed at increasing charitable giving while tightening the tax laws governing charities and foundations were dropped from the \$69 billion tax-cut bill that won the backing of House and Senate Republicans on Tuesday.

The proposals have now been placed in a secondary piece of legislation, where their fate is uncertain.

Among other things, the proposals would increase excise taxes on foundations, while at the same time encouraging contributions with provisions like enabling elderly donors to give money from their individual retirement accounts to charities without incurring a tax penalty.

The Council on Foundations, the United Way of America and other major nonprofit associations have endorsed the measures, but they are opposed by some other groups, including the Alliance for Charitable Reform, which represents largely conservative foundations.

Diana Aviv, president and chief executive of the Independent Sector, a group representing some nonprofits, said the wrangling was splintering the nonprofit sector.

"We've gone on record as a whole sector saying we think these reforms are important and will improve the quality of our practices," Ms. Aviv said. "I'm disappointed that organizations are putting their individual interests against the common good of our collective sector."

The opposition groups say the United Way and the other large associations have been co-opted by the Senate Finance Committee and its chairman, Charles E. Grassley, Republican of Iowa, who has taken the lead on charity reform in Congress.

"This has been a well-orchestrated effort by the Senate Finance Committee," said Cleta Mitchell, a lobbyist for the Alliance for Charitable Reform.

Among the proposals that the alliance has lobbied hardest against is a plan that would expand the types of investments subject to an excise tax that Congress imposed on foundation investment income in 1969.

Ms. Mitchell contends that those taxes divert money from charities supported by foundations. "Every dollar that goes to the government," she said, "is a dollar that doesn't go to charities."

She said the alliance was defending the interests of "many small charities, rescue missions and faith-based organizations."

Senator Grassley has repeatedly said that any negative financial effect of tighter regulations would be offset by the new incentives for giving, and Ms. Mitchell did not necessarily disagree.

"I don't think we know what the impact will be," she said, adding that "I think we need to know" before the proposal is adopted.

The Congressional Joint Committee on Taxation estimates that the total effect of the charitable giving provisions would be a \$528 million cut in government revenue from 2006 through 2010 but a \$20 million gain from 2006 through 2015.

The alliance has won support among House Republicans, more than two dozen of whom sent a letter last week to Mr. Grassley and Representative Bill Thomas, Republican of California and chairman of the House Ways and Means Committee.

Ms. Mitchell acknowledged that the alliance had written the letter at the request of Representative Mark Souder, Republican of Indiana, who became the lead signer.

"The proposals you are considering," it said, "would permanently damage America's philanthropic sector, deplete funds for vital services and require private foundations to send money to the federal government that would otherwise go to charities and the people they help."

It said the proposals amounted to a second tax increase on charities after "\$6 billion in hidden taxes" forced on the sector by provisions like tougher standards for claiming tax deductions for donations of vehicles.

Those provisions were included in a 2004 law devoted largely to business tax relief. Mr. Souder voted for it.

"Typically, Mr. Souder doesn't agree with everything that's in a bill," said his spokesman, Martin Green. "He weighs the costs and benefits of each piece of legislation and then casts his vote accordingly."

Officials defend cuts in funding United Way pumping \$500K into its own programs, official says

Thursday, May 11, 2006

By Susan J. Demas
sdemas@citpat.com -- 768-4927

United Way of Jackson County officials are trying to justify steep cuts to local agencies by pointing out the agency is pumping \$500,000 into its own programs to stave off problems such as teen pregnancy.

"We keep getting broader and broader to reach into the community," said Executive Director Ken Toll.

United Way raised about \$3 million last year.

The nonprofit organization announced this week it would be handing \$940,000 to local agencies for the 2006-09 grant cycle, down from \$1.3 million for 2002-05.

That has left programs like Breakout Drugs in a financial crunch. The nonprofit, which does drug, alcohol and tobacco education in 17 Jackson-area school districts, received about 40 percent of the \$110,000 it requested from United Way.

The program could be forced to shut down, founder and coordinator Shelly Milligan said.

"The end result is that some kids may have zero or one year of (anti-drug) info in 12 years of school," Milligan said.

"It'll be exactly what we had in the (1970s.) And we all know what happened in the '70s."

Toll said United Way is funding other programs shown to prevent drug abuse, including Boy Scouts, Girl Scouts and Florence Crittenton Services.

"Do we give people fish or teach them to fish so that they can feed themselves?" he said. "The problem is, people are hungry today. We have to balance that."

About \$800,000 of funds raised this year go to United Way's operating budget, which includes 11 employee salaries. Toll said administrative costs have "crept up" to 16 percent to 18 percent -- more than \$200,000 -- as the agency starts up more of its own programs.

Donors earmarked more than \$300,000 for nonprofits in the county and outside.

The agency will never see about \$130,000 in unfulfilled pledges, Toll estimated.

Grant cuts have been "painful," he said, stressing United Way is looking to increase its fund-raising goal so it doesn't happen again this year. Officials want to jump-start sluggish workplace giving, which has been offset by about \$1.5 million in government and private grants.

By starting eight of its own initiatives, the Jackson affiliate is "ahead of the curve" compared with other midsized United Ways, Toll said.

There's the 211 human services hotline, Success by Six, Health Care for All, Community Report Card, Community Warmth Initiative and Full Circle, a juvenile justice program. New initiatives also tackle teen pregnancy and divorce prevention.

Many local programs are getting additional funds by partnering on United Way-led initiatives, Toll said.

The 71-year-old United Way has been in transition since 2003, looking to do more than facilitate change through grantmaking.

Now the agency wants to make change happen itself.

"We're taking a pretty major step to be more proactive, investigative, entrepreneurial," Toll said.

Larger United Ways have been able to ramp up fund-raising so there's enough in the pot for grants and in-house initiatives, Toll said.

Housing Costs Change List of Top Areas for Poverty

By JESSE McKINLEY
Published: May 11, 2006

SAN FRANCISCO, May 10 — A new report that adjusts the poverty line to reflect housing costs says New York, California and Washington, D.C., have the highest percentage of residents living in poverty, surpassing traditionally impoverished regions like the Deep South.

The report, to be released Thursday by the Public Policy Institute of California, took into account the high rents and utility rates in major cities like Los Angeles, New York and San Francisco and adjusted the national poverty line, about \$19,000 for a family of four, accordingly. The results showed all three regions with significantly higher poverty rates than the Census Bureau reported in the fall.

Washington, ranked fifth poorest by the government, vaulted into the top spot, according to the report, with 21 percent of residents in poverty. New York, 12th by government standards, was second in the study, with 16.3 percent below the poverty line, while California went from 15th to third, at 15.7 percent.

Nationwide, 12.7 percent of Americans, or 37 million, lived below the poverty line in 2004, according to the Census Bureau.

The author of the study, Deborah Reed, said it "changes our perception of poverty mainly affecting the Southern states to something that affects high population states," where housing costs can consume a majority of income.

"The biggest difference between California and New York and the rest of the United States is a high cost of living," said Ms. Reed, an economist with the policy institute. "If you live in Mississippi and pay \$6,000 for rent and you're at the poverty threshold, you have \$13,000 left for everything else. But if you're in San Francisco and pay \$21,000, you have nothing to pay for child care, preschool, books, etc."

The study also suggests that differences between federal poverty rates and adjusted rates could hurt large states like New York and California, which depend on such estimates to determine federal aid for programs like Head Start and food stamps.

Ms. Reed said the study used fair-market rent statistics from the Department of Housing and Urban Development. Some poverty thresholds were higher than the national rate, some lower.

Although the inclusion of California, the most populous state, with one of the biggest economies in the world, and New York, the financial capital, might surprise some people, other poverty experts said the poverty line could be statistically manipulated to prove a number of points.

"People are always trying to put things in, on the left and the right," said Douglas J. Besharov, a scholar at the American Enterprise Institute, a conservative research organization in Washington. "It's a shell game of trying to change attitudes."

Mr. Besharov said he was not shocked that states with large urban areas could have more people below the poverty line than less developed areas.

"There's no question that it costs more to rent the same number of square feet in California than in Iowa," said Mr. Besharov, who had not read the institute's report. "But the big question is, Do those higher costs result in a palpably lower standard of living? I don't know."

The Census Bureau does take into account housing costs when formulating alternate definitions of the poverty line, but does not break down those estimates by state, Ms. Reed said. A call to the bureau and an e-mail request for comment were not returned.

Thursday, May 11, 2006

After death, Unger packed bags Sheriff's detective says situation was suspicious; witnesses testify about his unusual behavior.

Mike Martindale / The Detroit News

BEULAH -- Within two hours after his wife's body was found floating face down in Lower Herring Lake, Mark Unger had packed up his SUV and was preparing to drive home, a Benzie County sheriff's detective testified Wednesday.

"The situation was suspicious ... the vehicle had been packed already," Detective Ken Fallowfield said.

"There was no resolve of what had happened, and the defendant appeared he was getting to leave."

Unger, 45, is charged with first-degree murder in the Oct. 25, 2003, death of his wife, Florence, at the Inn of Watervale, a lakeside resort south of Frankfort.

A Benzie Circuit Court jury also heard how the Unger children watched a "Scooby Doo" DVD inside their rented cottage as police marked off a crime scene just 200 feet away, where their mother's body floated face down alongside the boathouse.

Fallowfield said he interviewed Unger at the resort and had to obtain a search warrant to inspect Unger's red 1999 Ford Expedition.

Investigators believe Florence Unger fell or was pushed from a boathouse deck while arguing about their pending divorce. Her body was found floating along the boathouse in Lower Herring Lake and investigators believe Unger dragged her immobile body to the lake where she drowned.

Unger's attorney said the death was an accident and did not involve Unger, who was sleeping in a nearby cottage with their two sons.

"He said they were out there (at the boathouse deck) at 8 p.m. talking and he went in to check children, and when he came back (around 10 p.m.), she wasn't there," Fallowfield said.

Several witnesses also testified about Unger's unusual behaviors before and after the death of his wife. Among them:

□ A Watervale Road resident, James Ryan, told how he helped a visibly distressed and ill Unger on Oct. 25.

As police investigated outside, Ryan recalled Unger asking him to get rid of a bottle of Amaretto inside the cottage because Unger was a recovering addict who had recently completed a five-month rehabilitation program because of an addiction to drugs and gambling.

□ Joan Frank, a friend of the Ungers, said Mark Unger told her that as he and his wife talked on the boathouse deck, she let him put her arm around her.

"Bells went off," Frank said. "Flo said she was repulsed by Mark and they had " ... not had a sexual relationship for a long time. It was all odd.

Steven Frank told the jury he regularly shared e-mails with Florence Unger, and "she was upset with the gambling, the drugs, and she wanted out."

□ Peter Stern, Florence Unger's brother, told of his sister's lifelong fear of the dark, desire for divorce and worry that Unger would seek full custody of their two sons.

Stern said a week before his sister's death, she told him to call her on her cell phone rather than at home because Unger was erasing her telephone messages. She also said her husband had threatened to sue for full custody and pay her \$1,000 a month.

"She told him she would live in a box before she let him have their sons," Stern said.

□ Sgt. Beth Baesch, a Benzie County sheriff's deputy, said she interviewed the two Unger boys, Max, then 10, and Tyler, then 7, who told her how his parents went for a walk. The children told Baesch how his mother liked to go out to the boathouse at night and took her own blanket and his dad visited them for a while, then told them it was time to go to bed and their mother would be up "in a little while."

You can reach Mike Martindale at (248) 647-7226 or mmartindale@detnews.com.

Thursday, May 11, 2006

Older son recounts night of tragedy

Mike Martindale / The Detroit News

BEULAH -- Max Unger, 12, was interviewed by Bethany Baesch, a Benzie County Sheriff's deputy, in the presence of attorney John Daugherty and his grandfather, Harold Stern.

Max told deputies his family arrived at the cottage around 6:20 p.m. Friday after stopping in Frankfort at Dinghy's restaurant.

After they unloaded the family SUV and put everything in the cottage, "Mom and Dad went to the deck."

He told Baesch, "Mom always likes to go up there" and took her own blanket, a blue one.

Max and Tyler watched a "Scooby Doo" DVD and his father returned in the middle of the second DVD and visited with them for five or 10 minutes and then said it was time for bed.

The boys went up to their bedroom. Mark Unger told Max their mother was waiting on the deck to talk to him and he would be back in a little while. Max said while his father was tucking them in, he told them he was going downstairs to watch a movie.

Later, Mark Unger returned and kissed his sons goodnight, Max remembered, because he "always feels his beard, even when he's asleep."

"Mom never came in and kissed him goodnight on this date," Baesch wrote in her report.

When Max woke up the next morning, his brother and Mark Unger were on the couch watching "Scooby Doo."

His father said they were going to the inn, and they were followed by "a sheriff guy" who did not go in with them.

"They entered the restaurant and sat at a small table and Dad told them there was a tragic accident and your mom was gone," Baesch wrote.

"Dad cried, and boys cried. Max then asked if they could go back to the cabin and they did."

Friends, Relatives Speak Of Unger's Divorce

Witnesses Said Marriage Was Collapsing

POSTED: 5:15 pm EDT May 10, 2006

Witnesses in the trial of a man accused of killing his wife say the couple's marriage was collapsing in the months before her death.

Friends and relatives also said today in Benzie County Circuit Court that the marriage of Florence and Mark Unger was burdened by financial troubles, in addition to Mark Unger's drug and gambling addictions.

The 37-year-old Florence Unger filed for divorce in August 2003.

A couple of months later, her body was found in a lake at a northern Michigan resort.

The 45-year-old Mark Under is being tried on a first-degree murder charge in her death. He has pleaded not guilty.

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